HAJ AMIN AL-HUSSEINI TESTIMONY BEFORE THE PEEL COMMISSION – 1937
4548. Chairman: I am not quite sure who is going to give evidence of the gentlemen present?
Husseini: (Interpreter): His Eminence, the President of the Supreme Arab Committee will give evidence.
4549. Before beginning his evidence, would His Eminence kindly tell us just what the Supreme Arab Committee is and how it is constituted?
Husseini: The Supreme Arab Committee is formed of representatives of all Arab Parties in the country and, as such, it can well represent the whole country and speak on behalf of all the Arabs in Palestine.
4550. How long has it been constituted in its present form?
Husseini: About nine months.
4551. In what capacity does His Eminence appear? As Chairman of the Arab Higher Committee?
Husseini: Yes.
4552. Does he also appear as President of the Supreme Moslem Council, or not?
Husseini: No. He only speaks on behalf of the Supreme Arab Committee.
4553. I think a short statement of the evidence His Eminence was going to give has been sent in. Would His Eminence like to give evidence in his own words and in his own form?
Husseini: If it please Your Lordship, His Eminence would like to address the Commission again on the matters which are partly dealt with in the memorandum which was submitted by the Supreme Arab Committee, but not

wholly dealt with in that memorandum.

4554. Otherwise, we have the paper before us?

Husseini: He is adding to it.

4555. I take it His Eminence's evidence is really in the nature of a commentary and amplification of the Notes of Evidence that have been sent in already?

Husseini: Yes.

4556. Will His Eminence proceed?

Husseini: The Arab case in Palestine is one which aims at national independence. In its essence it does not differ from similar movements among the Arabs in all other Arab territories. In fact, it dates back to long before the Great War. This movement is not new. Under the Ottoman Regime the Arabs formed an important part of the structure of the Ottoman Empire. It is wrong to say that the Arabs were under the yoke of the Turks and that their uprising and the assistance which was rund during the Great War were merely intended to relieve them from such yoke. The fact is that under the Ottoman Constitution they enjoyed all rights and privileges, political or otherwise, on an equal basis with the Turks, as the Ottoman Constitution provided for one form of government of all Ottoman territories and elements. The Arabs had a complete share with the Turks in all organs of the State, civil as well as military. There were Arabs who held the high office of Prime Minister and Ministers, Commanders of Divisions and Ambassadors.

4557. You say Prime Minister? Which was that?

Husseini: Said Halim Pasha.

4558. Do you know where he came from? Was it Egypt?

Husseini: The Khedivial family became Arab by the process of time since the great Mehmet Ali Pasha. In the same way, for example, the Presidents of the United States of America were either of English, German or of another origin.

4559. Sir Laurie Hammond: Did any Prime Minister come from Palestine?

Husseini: There was none. There was also Khayri Eldin Pasha, an Arab, who held the office of Prime Minister.

4560. He came from where?

Husseini: Originally from Tunis, but again there was another Prime Minister, an Arab, Mahmoud Shawkat Pasha, who came from Baghdad. His brother now holds the office of Prime Minister of Iraq. There were Arab ambassadors, provincial and district governors. There was large number of Arab Deputies in both Houses of the Ottoman Parliament, in proportion to their numbers as prescribed under the Ottoman Constitution.

4561. Chairman: Does he know how many representatives there were from Palestine in the Ottoman Parliament? Is that the Parliament of 876?

Husseini: There were two Parliaments, two Constitutions. One was made in the early days of the reign of Sultan Abdul Hamid, in 876, and the other was made after the grant of the Constitution in 908. He refers to the latter one, but even in the Parliament under first constitution there were Arab representatives. In the first Parliament you find the President (about a line of text is missing – did not appear on original)

Moreover, the administration of Arab territories were entrusted to elected Administrative Councils. Those Councils were elected and existed in the provinces, districts, and sub-districts. Those Councils were vested with extensive powers in all matters relating to administration, finance, education, and development, but, irrespective of all this, the Arabs were aspiring to the attainment of complete national independence and the regaining of the distinguished position which the Arab peoples had held in the past centuries, when the Arab peoples made the greatest contribution to civilization and to every phase of human activity. For that reason,and actuated by such a desire, a large number of Arab leaders and gentlemen made every endeavor for the

realization of Arab independence. They formed societies and even congresses for the purpose, and in their efforts they were subjected to severe hardships and were compelled to make heavy sacrifices, to which Palestine made a large contribution, including rebellion, imprisonment, persecution, and exile. This movement culminated in the Arab Rebellion under the leadership of his late Majesty King Hussein, after he had entered into an alliance with Great Britain in the Treaty of 95. This rebellion had as its objective the complete independence of all Arab countries and there is not the least doubt that Palestine was included in the pledges contained in that Treaty. The Arabs entered into the War under that Treaty, which was acknowledged by British leading statesmen and military commanders, such as Mr. Lloyd George, the late Lord Allenby, Mr. Winston Churchill, the late Colonel Lawrence, and many others. A large number of the Arabs of Palestine joined the Arab Revolutionary Forces as officers and in other ranks, and many of them met their death in the cause of the Arab movement, which aimed at the independence of the Arab countries, including Palestine. The War then came to an end on the basis of the principles of President Wilson, which included inter alia the right of self-determination, by virtue of which the right of every nation to determine its future according to its desire was recognised. In this country, the late Lord Allenby issued a Proclamation on the 7th November, 98,<> which was circulated in all cities and villages, in which he declared, “The object for which the Allies entered the War in the East is the liberation of the peoples under Turkish rule and the establishment of national governments deriving their power from the general desire of the native population. Neither Great Britain nor France have any desire to make specific recommendations for the governments of these territories.” The Arabs in Palestine received this Proclamation with deep satisfaction. They considered it as a new pledge, confirming pledges previously given to the Arabs. I wish here to refer you to the fact that the late Lord Allenby expressly admitted to the Palestine Arab

Delegation which proceeded to London in 1922 that Palestine was covered by the terms of this Proclamation, similarly with Syria and Iraq.

4562. When was that said?

Husseini: In 1922.

4563. Where was it said and when was it said? On what occasion?

Husseini: The Arab Delegation was in London in 1922 and they were at the residence of the late Lord Allenby and he said that to them in his own house.

4564. But there is no record of it, is there?

Husseini: There are Arab members of the Delegation here today who were amongst that Delegation and they are prepared to give evidence on oath as to that statement. Lord Allenby permitted them to quote that statement in the press and since then every Arab statesman who has spoken on the Palestine case has referred to that statement which was made by Lord Allenby, and it was never denied. The Arab Delegation then in London used to tell those who asked for confirmation of this statement to refer to Lord Allenby himself. The Peace Conference was thereafter convened and resulted in the promulgation of the Covenant of the League of Nations. In Article 22 of this Covenant, the principle of self-determination was recognised, as also the proclamation of the independence of the Arab territories which were severed from Turkey, while Article 20 of the Covenant provided that all previous conventions or obligations which were inconsistent with Covenant should be considered as null and void.

4565. Which was the understanding that he considered to be inconsistent with the terms of the Covenant and so null and void? Which is the one he is referring to?

Husseini: Article 20 provided that..

4566. I have Article 20, but I am asking what was the obligation or

understanding which he says was inconsistent with that Article?-

Husseini: Any treaties which were previously concluded between a member of the Powers who signed the treaty/

4567. Between the Powers who signed the treaty, but the Arabs did not sign the treaty?

Husseini: In dealing with Article 20 I mean that the Article provided that every obligation or treaty which was concluded between Members of the League of Nations before the date of the Covenant should be considered as null and void if it was inconsistent with it.

4568. Between Members of the League of Nations, but not between Members of the League of Nations and others?

Husseini: Article 20 says that all obligations and treaties which are inconsistent with the Covenant.

4569. No, it does not say that. It says, “all obligations or understandings inter se” and that means among Members of the League of Nations. What I am putting to His Eminence is that any arrangement made between a Member of the League of Nations and a body which was not a Member of the League of Nations is not referred to in Article 20?

Husseini: In spirit, and as a matter of principle, the Covenant of the League of Nations aimed at or provided for self-determination and that every other principle which is inconsistent with such a principle of self-determination is to be considered as inconsistent with its terms.

4570. I do not wish to define the words, but it says obligations or understandings among themselves?

Husseini: In this connection I wish to say that England and France agreed on the Balfour Declaration after this Covenant in 1917 and, therefore, the second part of this Article applies to that Declaration.

4571. Agreed when?

Husseini: The agreement between England and France with regard to the Balfour Declaration was made after the Covenant of the League of Nations in 97 and, therefore ....

4572. No, the Balfour Declaration was in 1917, and the Covenant of the League of Nations was not published until after the War?

Husseini: Although it was officially ratified after that date, in inference it was agreed upon before the Covenant, although the Covenant was ratified later, after 1917.

4573. Much later?

Husseini: Yes, but the Balfour Declaration was agreed upon by the nations Members of the League before.

4574. I do not know whether anything turns upon this, but I think His Eminence's dates are not quite right. Apart from that, would His Eminence tell us exactly what is the obligation that he says is inconsistent with membership of the League of Nations and has been or ought to have been abrogated? That is what I want to know?

Husseini: I believe that the Balfour Declaration is inconsistent with the spirit of the terms of this article itself.

4575: I find it difficult to interpret "spirit". I would prefer His Eminence to give us, if he can, what obligations he thinks is inconsistent.

Husseini: The Balfour Declaration itself, which provided for the establishment of a National Home for a people in an Arab country and Arab territory.

4576: This is inconsistent with what?

Husseini: Inconsistent with Article 20 and 22 of the Covenant.

4577: Sir Horace Rumbold: Why?

Husseini: Because under Article 22 of the Covenant of the League of Nations the principle of the independence of the Arab countries which were severed from Turkey was recognised.

4578. Chairman: His Eminence is now on Article 22. Do I understand he does not press Article 20? –

Husseini: He is dealing with that later.

4579. Which part of Article 22?

Husseini: One of the paragraphs of 22 reads:

“Certain communities formerly belonging to the Turkish Empire have reached a state of of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory”.

4580. We are familiar, of course, with that paragraph. Is it the contention of His Eminence that the Balfour Declaration is inconsistent with that Article?

Husseini: Yes.

4581. Because that is really dealing with the question of the Mandatory, is it not?

Husseini: It provides that the wishes of the people should be the principal consideration.

4582. In selecting the Mandatory?

Husseini: Not only the Mandatory. Under that Article Palestine is one of the countries which was severed from the Ottoman Empire.

4583. The words are:

“The wishes of these communities must be a principal consideration in the selection of the Mandatory”. That is another point you are now raising, is it not?

Husseini: I would like to lay stress on certain terms which appear in this Article.

4584. Which Article are you on?

Husseini: Paragraph 4 of Article 22:

“Certain communities formerly belonging to the Turkish Empire have reached a state of development where their existence as independent nations” – I would lay stress on those words as independent nations those provisionally recognized”.

If a country is recognized as an independent nation, of course, it has the right to choose its own form of government.

4585. Sir Horace Rumbold: That is a different point. I would like to take you on the interpretation put upon Article 20. Article 20 is divided into two sentences. May I read them to you:

“The members of the League agreed separately to consider this Covenant as annulling all obligations and undertakings entered into between themselves if such obligations and undertakings are not consistent with the provisions of the Covenant.”

Do you argue from that that the Balfour Declaration, which was issued in 1917 and with which France and Italy subsequently associated themselves, constitutes an obligation or an undertaking as between England, France and Italy? That is the first point I want to get at.

Husseini: In my opinion, the Balfour Declaration is covered by the first sentence of Article 20, being a legal point, but point will be further developed,

being a legal point, by one of the Arab witnesses at a later stage. In my opinion all I can say at this stage is that the Governments which are members of the League of Nations formally ratified the Mandate which embodied the Balfour Declaration in 1922. That ratification or acceptance is contrary to the second part of Article 20 of Covenant, which says that no future inconsistency with the terms of this Article should be made.

4586. In what way was the Balfour Declaration inconsistent? Is it because it is in contradiction, in your view, with the promises made to the Arabs about the independence of Palestine and other districts?

Husseini: This article in my opinion end to abrogate all treaties which include any obligations, unfair or unjust or inequitable to any other nation. The Balfour Declaration is extremely prejudicial to the interests of the Arabs and as such must be considered as inequitable and unfair, therefore must be covered by the terms of this Article.

4587. Does His Eminence consider the Balfour Declaration, with which France associated themselves, is a treaty and not mere declaration?

Husseini: It is a pledge.

4588. Chairman : Will you allow me to press Your Eminence on this point a little further. Th words are “inter se”, “between themselves.” It would apply, would it not, to any agreements between members of the League of Nations-we will say France and Great Britain-which were inconsistent with the obligations, but how would it apply to an arrangement made, we will say, with the people of Palestine, who are not members of the League of Nations? I that Article 20 only appled to arrangements and obligations between members of the League

Husseini: The way I understand this Article is it prohibits any treaty or convention or agreement which may impede self-determination.

4589. Sir Horace Rumbold: It was not a treaty in this sense. If I remember right, three notes were addressed in connection with this Balfour Declaration, one by Lord Balfour to Lord Rothchild, an Italian note was addressed Ambassador in London to Mr. Sokolow, and a by the Italian ambassador and a French note by Mr. Pichon also addressed to Mr.Sokolow?

Husseini: Although it is not in the form of an actual treaty, yet, in fact, this Declaration was given the force of a treaty although it is in the force of a declaration. It has been applied as such although it is in the form of a declaration. It was put into force at a time when many treaties were revoked or abolished or not given effect to. Whenever we have asked the British Government to grant us our rights we have got the reply ” Your demands are inconsistent with our obligations to the Jews.”

4590. Chairman : That is another point. We are now getting on to the exact interpretation of the Mandate, which is rather another point from the one His Eminence is on. with Perhaps he will continue his evidence?

Husseini: Soon afterwards an International Commission, which has since been known as the King Crane Commission, came to ascertain the wishes of the people. The result of the investigations which were carried out by that Commission revealed beyond doubt the unanimous desire for independence and for an Arab unity and a categorical refusal of the Zionist policy. While, however, the people of this country were expecting the realization of their aspirations by the establishment and constitution of an independent Arab State in pursuance of their natural rights, which are bestowed by God on every nation, and in compliance repeated pledges which were given to them, they were astonished to see the British Government already embarked upon a policy which aimed at the establishment of a National Home for the Jews in this Arab country,

4591. Sir Laurie Hammond: What was the date of the Crane Commission?

Husseini: 1919.

4592. Sir Horace Rumbold: Who appointed it?

Husseini: The Council of the Four Powers.

4593. Chairman: Do you know when it reported?

Husseini: It made its report in 1919

4594. Is His Eminence quite sure that it was pointed by the Four Powers and not by Preside Wilson of America?

Husseini: Originally it was appointed the Four Powers, but later on the American members came and the other members did not come.

4595. Sir Horace Rumbold: Why?

Husseini: The Commissioners have sought to make their survey of Syria in the report upon Syria now submitted in the spirit of the instructions given them by the Council of Four and especially in harmony with the resolutions adopted on the 30th January, 1919, by the representatives of the United States, Great Britain, France, Italy and Japan and with the Anglo-French Declaration of the 9th November, 1918.

4596. Chairman: Then we are told that the representatives of the other Powers fell away and only the representatives of America remained?

Husseini: Yes.

4597. What was the reason of the break, do you know?

Husseini: I do not know the actual reasons, but I presume there was a conflict between the Powers as regards the partition of the zones of influence among themselves.

4598. Sir Horace Rumbold: In a paper which I have here that Commission is referred to as the American Commission which came to Palestine in June,

1919?

Husseini: It has since been known as the King Crane Commission, but people referred to it as the American Commission, because it only included American members.

4599. Chairman: And America was not a member of the League of Nations, of course?

Husseini: America was a member of the Peace Conference.

4600. But not of the League of Nations?

Husseini: It was before the creation of the League of Nations.

4601. Sir Horace Rumbold: What happened to the report?

Husseini: The Committee submitted the report to President Wilson.

4602. Chairman : The report never came to the other Powers, only to the United States?

Husseini: I am not aware whether the report was also submitted to the other Powers or not. The forcible detachment of Palestine from the body of other Arab territories was a great detriment to the Arab territories, in that, it meant isolation and the pursuance of the Zionist policy. The Arabs were the more astonished as they never expected that Great Britain, which was known to have close relations with the Arab and the Moslem world and which was most anxious to maintain its prestige in the East, would persist in the application of this policy, which has carried in its wake great detriment to the national existence of the Arab nation in economics and every phase of its life. They never expected that Great Britain would grant the territory of Palestine which is one of the most important of Arab territories to the Jews. Before long the Palestine Mandate was ratified by the Council of the League of Nations and included the Balfour Declaration, which provided that the Mandatory shall be responsible for placing the country under such political, administrative and

economic conditions as will facilitate the establish of the Jewish National Home. All this was done in consultation and agreement with the Jews on their own terms while the Arabs were never consulted. I wish to take this opportunity of stating that, when the Arab Delegation which proceeded to London in

1930 proved to Mr. MacDonald and Lord Passfield the irreconcilable nature of the Mandate, these gentlemen replied that the Mandate was made by the League of Nations. Soon afterwards I met Sir Eric Drummond, the Secretary General of the League, at Geneva. I explained to him again the irreconcilable nature of the Mandate and he informed me in reply that the Mandate was granted by the British Government and not by the League. I then conveyed to him Mr. MacDonald's answer but he insisted on his previous assertion.

4603. Where is this recorded?

Husseini: It was a conversation which took place between His Eminence and the Secretary General of the League.

4604. Nothing recorded?

Husseini: The first statement, which was made by Mr. MacDonald and Lord Pasfield is recorded in the minutes of the meeting kept at the Colonial Office and I suggest Your Lordship may refer to them if you do desire. The other conversation took place between me personally and the Secretary-General of the League,

4605. The conversation took place between you?

Husseini: And the Secretary General of the League,

4606. When?

Husseini: In 1930

4607. What was the hour, date and place?

Husseini: I will give the exact date from my diary.

4608. And where the conversation took place and with whom and at what hour and so on? have all those details?

Husseini: The conversation in fact took place at Geneva at the office of the Secretary General himself. I will give the exact hour and date later.

4609. Now have the deputation a copy of that King-Crane report which they could put in?

Husseini: At a later stage of the proceedings we are prepared to submit a copy of the report.

4610. If you could hand it to the Secretary?

Husseini: We will do so.

4611. Professor Coupland: May I suggest to His Eminence, to avoid what I think is a misunderstanding, that there does not appear to me to be any conflict between what was said, according to His Eminence, by Mr. MacDonald and what was said by Sir Eric Drummond. Will you put it to him that the fact was that the Mandate was drafted by the British Government just as all Mandates were drafted by the proposed Mandatory Governments, but that draft had no value whatever until it was examined and confirmed by the League. So I suggest there is no contradiction?

Husseini: I fully agree. During the whole of the past nineteen years the British Government has continued to pursue this policy which has been the greatest detriment to the national existence of the Arabs, in that their numerical proportion of the population has diminished from 93 per cent at the time of the Occupation to 70 per cent, today. The Jews were enabled to acquire large areas in the most fertile of Arab lands, from which Arab cultivators were evicted. Arab villages which stood on the land were wiped out. Every hope which the Arabs had of attaining independence was frustrated. At the same

time in other Arab territories which, like Palestine, were severed from Turkey and are the same in all respects as Palestine-Iraq, Syria, Lebanon, national government was set up, which culminated in the abolition of the Mandate and its replacement by a treaty of alliance and friendship which was concluded between these countries and England and France respectively. Now these Arab territories govern themselves by themselves. During all these nineteen years the Arabs in Palestine have sought every possible means to convey their grievances and protests to Government, the Government here. the Government in London and to the League of Nations. In fact, the Arabs have sent five delegations to London for that purpose. After a debate which took place in the House of Lords in 1922 a resolution was adopted which provided that the Palestine Order in Council, that is the Constitution, should be amended in a manner compatible with the wishes of all the Arabs and the pledges given to the late King Hussein, but it is a matter of regret that not the least effect was given to this resolution, although it was passed by such a high authority as the House of Lords.

4612. Chairman: Yon want to strengthen the Second Chamber?

Husseini: It is true that the British Government appointed various Commissions of Inquiry at different dates to inquire into the grievances and complaints of the Arabs, but inquiries failed to have any practical result in giving redress to the Arabs, owing to the influence and pressure which the Jews brought to bear on the British Government. Allow me to refer to a conversation which took place at one of the meetings which was held in London between Mr. Ramsay MacDonald, the then Prime Minister, and the Arab Delegation. I remember making the following remark, when he informed us of his intention to send Sir John Hope Simpson for the purpose of making an inquiry into the questions of land and immigration. I said to him then “What is the use of sending such an expert to Palestine so long as experience has shown that no effect is given to the reports of previous Commissions, which

were in favor of the Arabs, owing to Jewish pressure”? To this Mr. MacDonald replied “I assure you on my honor as the Prime Minister of Great Britain that all representations that are made in this report will be sincerely enforced.” However, before long Mr. MacDonald himself wiped out the effect of the White Paper which was issued by Lord Passfield in 1930 in his letter to Dr. Weizmann and of all the recommendations which were contained in Sir John Hope Simpson’s report in favor of the Arabs in regard to land and immigration.

4613. Do you say all that was due to Jewish pressure?

Husseini: At least we believe that it is so.

4614. You do not credit the British Government with having a mind of its own then?

Husseini: I have always known and believed that the British Government and the British people have great statesmen and I am always convinced of the wise judgment of the British Government and the justice of the British Government. In fact, the British Government have maintained and maintain at present the most cordial relations of friendship with the Arab Rulers and the Arab countries, the Moslem countries, but where I see such action taken I always attribute it to Jewish pressure, because we cannot see how such a great nation, such a great country, with the great statesmen they have, could adopt such a course unless there was outside influence bearing in that direction.

4615. What do you mean by “Jewish pressure”? Does that mean just Jewish argument, that they are persuaded by the ingenuity of the Jewish arguments?

Husseini: Not only argument, but the Jews have various means of securing their aims. They have both wide means of propaganda and their relations with British statesmen and others, and they have many other means which enable

them to bring their influence to bear, with which I do not wish to deal at present.

4616. Does he mean really undue pressure? Is that what His Eminence means?

Husseini: I believe that they have undue pressure, undue influence. In this way the hopes of the Arabs continually weakened, their position was gradually changed, their numbers reduced, and their lands alienated.

4617. Sir Laurie Hammond : Did he say “their numbers reduced”? Actually they have been increased?

Husseini: Proportionately, and their lands alienated, while they were facing strong competition in their language and in their economic interests. In short, they were seeing with their own eyes a speedy and fundamental change in their position and the loss of their rights. At the time of the Occupation the number of Jews in Palestine was about 50,000; they have now become about eight times that number. They had not more than

100,000 dunums of land; they have now fifteen times that area of the best and the most fertile land.

4618. Fifteen times as much of the irrigable land or of all kinds?

Husseini: Of all kinds of land. There is also another dangerous aspect of the increase in the number of Jews, the extension of their land possessions, and the growth of their political influence, which affects the Holy Places, especially the Moslem Holy Places. In these Holy places the Jews, although still a minority, have shown desires of a dangerous nature, which we had established before the Shaw Commission and the International Commission. Notwithstanding all quietening announcements which were made in this respect, Moslems cannot be indifferent to the fearful statements which have appeared in full recognized Jewish works, and the utterances some of their leaders and responsible bodies.

4619. Would His Eminence be a little more specific? What does he mean by fearful statements and utterances? Saying what?

Husseini: Those utterance which showed, without the least doubt, that the Jews' ultimate aim is the reconstruction of the Temple of King Solomon on the ruins of the Haram esh Sharif, the El Aqua Mosque, and the Holy Dome of the Rock, which is held in the highest esteem and veneration in the Moslem World.

4620. Can he give any authoritative statement for that?

Husseini: He can produce it. Do you wish him to produce evidence now of those papers or at a later stage?

4621. His Eminence has made a statement, a very definite charge. I am quite sure that he has not made it without good grounds and we want to have put before us the evidence on which he has made it. I do not think we had better have it now. When could we have that evidence?

Husseini: We are prepared to produce this evidence at any time.

4622. Sir Horace Rumbold: Is it from newspapers or the statements of persons?

Husseini: Reports. For stance, I will produce an extract from a report made by General Bols, who was Chief Administrator in the Military Administration of Palestine, and also I have a personal letter which was addressed to me by the Chief Rabbi of Roumania, asking me to restore to the Jews the place of King Solomon's Temple. I can also refer to a declaration which was made by Sir Alfred Mond, which was the subject of correspondence with the Government of Palestine, during the administration of Sir Herbert Samuel, and documents.

4623. Chairman: Have you any statements made by the Jewish Agency of that policy?

Husseini: Yes, an extract from a Report by General Bols, in which he says that

the Jewish Agency, or the Zionist Organisation at the time, made that claim to him, or made that demand to him.

4624. Sir Laurie Hammond : Which does the witness consider the most important statement, the documents of the description he has mentioned us, or Articles 3 and 4 of the Mandate?

Husseini: I would like to rely on practical things more than statements.

4625. Is an undertaking solemnly given by the Mandatory Power to the nations of the world not a practical consideration?

Husseini: Yes, that is true, but in many cases undertakings and pledges are never applied.

4626. Would you read the last three lines to him?

I will read it in English:

“and provided also that nothing in this mandate shall be construed as conferring up the Mandatory authority to interfere with fabric or the management of purely Moslem Sacred shrines, the immunities of which are guaranteed.”

Husseini: We are not saying that the Mandatory Power itself will ever interfere in the fabric or management of the Moslem shrines, but simply for the sake of argument, if the Jews were at one to become a majority in this country, what would be the position of the Arabs when they know that the Jews have such intentions and desires? What can the Arabs do? What can prevent the Jews from making such claims to Moslem shrines?

4627. Chairman : But the Mandatory Power would still be there would it not?

Husseini: But who will assure us, who knows that the Mandatory Power will continue to be in the country then, especially when we can see the power and influence which the Jews have in England.

4628. Sir Horace Rumbold: Do you think they would be able to remove the Mandatory Power?

Husseini: What I can see and my experience up till now shows that the Jews can do anything as far as Palestine is concerned.

4629. Chairman: Do you think they would be able to persuade the Mandatory Power to destroy those Mosques and put up there a Jewish Temple?

Husseini: I know that they have already demolished Mosques in villages which were acquired by them.

4630. Who have demolished them?

Husseini: The Jews have demolished Mosques in villages which were acquired by them, and I am prepared to give the names of the villages which were affected, and the Jews are still a minority in the country.

4631. Might I repeat my question? It was whether His Eminence thinks that the Jews have such influence with the Mandatory Power that they would be able to persuade them to allow them to destroy the Mosque of El Aqsa, I suppose, and have a Temple set up in its place?

Husseini: I do not imagine that the British Government will do that itself, but the people who have persuaded a great Government like Great Britain to destroy the integrity of an Arab people in order to replace it by their own can easily do that, especially when they become the majority in the country.

4632. Should the Jews become the majority in the country and if the Mandate is abolished? Is that it?

Husseini: There was no question of the Mandate being abolished.

4633. I only want to be quite clear. You think it could be done or would be done by the Jews even though Great Britain was still the Mandatory Power?

Husseini: When they become the majority in the country they can have many

such influences.

4634. Professor Coupland: The suggestion is that, although the British Government would still be the Mandatory and still, therefore, in control and still bound by those Articles of the Mandate, the power of the Jews would somehow impel the British Government to allow the desecration or removal of the Moslem sacred shrines? Is that the suggestion?

Husseini: I would like to answer you quite frankly. If this question had been put to me a few years ago I would have said definitely “No,” but if I were to say “No” now I would not be true to myself, because according to my information and experience I know that the Jews have great influence in England.

4635. So the answer is ” Yes “?

Husseini: As far as the consequences are concerned, the answer is ” “Yes”, the ultimate answer is “Yes”.

4636. Chairman: That is the end His Eminence’s statement, is it not?

Husseini: We are about to come to the end.

4637. There are some questions one or two of the Commissioners want to ask about land. If he is near the end I think we will reserve them to the end?

Husseini: We are near the end. There is also another danger, which is the outcome of the ambition of the Jews to acquire the natural resources of the country and to deface the beauty of some of the Holy Places and trespass on their sanctity, as in the case of the Lake of Tiberias and the Jordan, where the Rutenberg Company, the Palestine Electricity company was allowed to construct works for the generation of electricity.

It is a matter of surprise and grief to the Arabs to see that Great Britain, which has such extensive relations in the Moslem and Arab worlds, adheres to the

Balfour Declaration, which is null and void and utterly inequitable and illogical and fails to adhere to the repeated pledges which were given to the Arabs before and after the Balfour Declaration, although these latter pledges have been repeatedly confirmed, at one time by Lord (then Mr.) Balfour, when he was Foreign Secretary, in February, 99, as not only equitable and just, but consistent with the principles of the League of Nations. On the contrary, the British Government continues to pursue an unjust and unfair policy by its attempt to realize the impossible object of establishing National Home for the Jews in this Arab territory, which is surrounded by an Arab ocean on all sides and which is held in the highest degree of veneration by the Arab and Moslem worlds, thus making of this Holy Land a scene of bloody disturbances and a permanent National Home for disorders and riots which are inevitable so long as the administration is based on an unfair and unjust foundation. History has no such precedent, and the consistent application of this policy is not in the interests of anyone. It is a matter of great grief to the Arabs to see that the British Government persistently prejudice their rights and subject their national existence to annihilation, while it submits to Jewish ambition in all matters, which will have the effect of controlling the economic future of the country and which extends to the Jews differential treatment in economic matters, protects their industries through the unfair imposition of high Customs Tariffs and exemption from duties and taxes, and other measures. In general, it is a source of deep grievance to the Arabs to see this imperialistic, Zionist, spirit dominating over all branches of the Administration, legislation and economics, contrary to all principles of right and equity. To recapitulate. in the opinion of the Arabs, the causes of the disturbances were:

1. The fact that the Arabs in Palestine were deprived of their natural and political rights.

2. The persistent application by the British Government of a policy in Palestine which has as its objective the establishment of a National Home for the Jews in

this Arab territory.

These two causes led the Arabs to lose confidence in the British Government and in the Palestine Government. Hence disturbances broke out. In conclusion I wish to add that the Arabs cannot see any benefit or hope of reform from the introduction of changes of a subsidiary nature and unless the grievances, fundamental as they are, are remedied and their causes removed, the evil will continue and the grievances will intensify. It is the firm belief of the Arabs that the proper and fundamental treatment of the situation will be found in the three following measures:

1. The abandonment of the experiment of the Jewish National Home, which originated in the Balfour Declaration and which has proved to be a failure, and the reconsideration of all the consequences which resulted from this experiment and which prejudiced the rights of the Arabs and imperiled their national existence.

2. The immediate and complete stoppage of Jewish immigration.

3. The immediate and complete prohibition of the sale of Arab land to the Jews.

4. The solution of the Palestine problem on the same basis as that on which were solved the problems of Iraq, Syria and the Lebanon namely, by the termination of the Mandate and by the conclusion of a treaty between Great Britain and Palestine, by virtue of which a national and independent government in constitutional form will be established, on which national elements will be represented, and which will guarantee justice, progress, and prosperity to all. The policy of establishing a National Home for the Jews in this country must inevitably lead to continued anxiety and disturbances and will make of the Holy Land which of all countries in the world should enjoy peace and tranquility the permanent scene of disorders. I am confident that it will be in the interests of everyone to abandon this impracticable attempt

which aims at establishing a National Home for one people in the country of some other people, which is already fully populated and which is surrounded by oceans of countries belonging to the Arab people, who hold this country in the highest degree of veneration. Those people will never abandon this country at any time or under any circumstances. I refer now to the Moslem world, to the Arab and Moslem worlds who attach great religious importance to this country. It is impossible to place two distinct peoples, who differ from each other in every sphere of their life, in one and the same country an impracticable attempt to try the impossible cannot hope for success, but must ultimately fail and result in doing harm to all. That being the case, by the abandonment of this attempt, which the has proved to be a failure, a great service will be done to humanity and peace will be maintained in this Holy Land, which is a sensitive member of the body of the whole world. The Moslems have other complaints regarding the Moslem Holy Places and Moslem rights, which will be placed before the Royal Commission on behalf of the Supreme Moslem Council in due course.

4638. His Eminence said that, in fact, the Mandate should be abolished. He is not addressing that to the British Government, is he? He knows that the British Government can abolish the Mandate.

Husseini: I believe that the British Government can abolish the Mandate.

4639. May I suggest to him that it cannot and that all it can do is to hand its Mandate back to the Commission of the League of Nations and the Council and then it will be for the Council to assign that Mandate to some other Power?

Husseini: It is not our object to seek the replacement of the Mandatory by another Mandatory, but we are asking that the Mandate should be replaced by a treaty to be concluded between Great Britain and the Arab People. How and through what means such a treaty could be concluded must be left, of course,

to Great Britain herself, because she is more familiar with diplomatic forms. We can ask to return the Mandate to the League of Nations and ask that it should be replaced by a treaty, with such diplomatic forms as were adopted in the case of Iraq.

4640. That is another class of agreement, but I will not stop over that?

Husseini: Especially as the Mandate itself is of a temporary nature. There is a provision in the Mandate itself which implies that the Mandate is of a temporary nature. We are not less advanced than our brethren in Iraq as far as civilization and our ability to administer our own country. Mr. Churchill himself admitted this. Great Britain can also follow the same procedure and replace the Mandate, through the League of Nations of course, by a treaty between the two countries.

4641. A treaty between this country?

Husseini: And Great Britain.

4642. You would have to get rid of the Jewish influence first in England or you could not trust them?

Husseini: That is true.

4643. You want completely to stop Jewish immigration. If you are setting up a Government here, what do you want to do with the 400,000 Jews or more in the country at present?

Husseini: They will live, as they always have lived in Arab countries, with complete freedom and liberty as in natives in the country. In fact, Moslem rule in ancient history and the history of the Arabs has always been known for tolerance towards the Jews. As a matter of fact, the Eastern countries under Arab rule were shelters for Jews who used to emigrate there when persecuted in Europe. According to the annals of history the Jews have had their quietest and most peaceful times in Arab countries under Arab rule.

4644. His Eminence was complaining that now there are far too many Jews, that the Arabs including the Christians were now only 70 per cent of the population whereas

14 years ago they were 93%?

Husseini: That is his complaint.

4645 At the same time, if this Arabs had this treaty they would be prepared to welcome the Jews already in the country?

Husseini: That will be left to the discretion of the Government which will be set up under the treaty and will be decided try that Government on the considerations most equitable and most beneficial to the country.

4646. Do you think the Jews would be satisfied with that statement? Would they not like to something definite beforehand? To trust to the equitable intentions of the majority is not a very strong reed to lead on?

Husseini: What would the Jews reply be in that respect?

4647. I do not know, but I think I can tell you?

Husseini: Many thousands of Jews are actually living under Arab rule in Iraq and Syria, accepting the same obligations as the Arabs and enjoying the same rights as the original inhabitants of the country.

4648. Sir Horace Rumbold: Does His Eminence think that this country can assimilate and digest the 400,000 Jews now in the country?

Husseini: No.

4649. Chairman : Some of them would have to be removed by a process kindly or painful as the case may be?

Husseini: We must leave all this to the future.

4650. Sir Horace Rumbold: In your memorandum you said there were two fundamental causes. One is depriving the Palestine Arabs of their natural and

political rights. What exactly is meant by the term “natural rights”?

Husseini: The right of every human being to live in his own country peacefully and to administer his own country according to his own interests and not in accordance with the interests of any other people. As regards the political rights, I cannot really think there is any other country in the world where the people are deprived of their constitutional rights and are without any form of representation in Government. We have nothing to do with the administration of the country; we are completely unrepresented in the administration.

4651. Sir Laurie Hammond : Would His Eminence give me the figures again about the land? to know how much land was held by the Jews. I want to know how much land was held by the Jews at the time of the Occupation?

Husseini: First of all I should like to say that one of the members of our Committee will put the Arab case specially on land at a later stage. Nevertheless I will give the figures. They were about 100,000 dunums.

4652. In what year?

Husseini: At the date of the British Occupation.

4653. And they now hold how much?

Husseini: About 1 1/2 million dunums of land. There are 1,200,000 Dunums of land already registered in the names of Jewish holders, but there are 300,000 dunums which are the subject of written agreements and which have not yet been registered at the Land Registry. That does not include, of course, the land which was assigned to them by Government.

4654. It does not include what?

Husseini: About 100,000 dunums.

4655. What land was assigned to them?

Husseini: 100,000 dunums of land was given by Government to Jews.

4656. That is included in the 1,200,000 dunums?

Husseini: No, it is not included.

4657. The point is this. In 1920, he said, at the time of the Occupation, the Jews only held

100,00 dunums? Is that right?

Husseini: In 1917.

4658. I asked at the time of the Occupation, as regards the land registered, what was entered in the Land Registry before 1920, how much land did the Jews own at the time of the Occupation?

Husseini: The military Occupation of the country took place in 1917, not in 1920. In 1920 it was the civil administration.

4059. How much was it at the time of the civil administration?

Husseini: About that figure. Whatever they bought at that time between the military and the civil administration was not registered.

4660. Would he be surprised to hear that the figure is not 100,000 but 650,000: 500 per cent more?

Husseini: It may be the difference was due to fact that many lands that were bought were bought on the basis of contracts which were not registered until after

1920. They must have registered all of those that were acquired after the Land Registry Offices were set up.

4661. There is a lot of difference between 100,000 and 650,000?

Husseini: The difference must have been due to sales which were not registered, because in one case Sursock himself sold about 400,000 dunums in one lot.

4662. Who was Sursock?

Husseini: A big landowner living in Beirut; he owned land in Palestine.

4663. Was he an Arab?

Husseini: Yes.

4664. His Eminence drew a sad picture of the Arabs being evicted from their land and villages being wiped out. Did the Palestine Administration acquire the land and then hand it over to the Jews?

Husseini: In most cases these lands were acquired.

4665. I mean forcible acquisition, compulsory acquisition, as you would acquire them for a public purpose?

Husseini: No.

4666. They were not taken by compulsory acquisition?

Husseini: No, they were not taken by compulsory acquisition.

4667. These lands amounting to 700,000 dunums were actually sold to the Jews?

Husseini: Yes, they were sold, but the country was placed under such conditions as would facilitate such purchases.

4668. I do not understand what that means. They were sold to the Jews. By whom were they sold?

Husseini: In most cases by Arabs.

4669. Was any compulsion put on them to sell? If so, by whom?

Husseini: As in the case of other countries. there are people in every nation who by force of economic circumstances, by their weakness as far as their nationalism is concerned or through some other outside force, are liable to sell their land. They were not compelled to sell this land, but the country was placed under such economic conditions as would facilitate such sale. If the

Government had the Interests of these poor cultivators at heart they would have prohibited the sale from the start and these people would not have been evicted from their land. A large number of these lands belonged to absentee landlords, who sold the land over the head of their cultivators, who were forcibly evicted. The majority of these landlords were absentee landlords, who sold the land over the head of the tenants who were living on the land. They are not Palestinians; are Syrians or Lebanese.

4670. Is His Eminence in a position to give the Commission a list of the Arabs who have sold lands apart from these absentee landlords?

Husseini: I am sure the Department of Lands could supply such a list.

467. I did not ask him to tell me where I could get the information. I asked him if he was in a position to give it to me?

Husseini: It may be possible for us to compile such a list.

4672. I would ask him this now. Does he think as compared with the standard of life under Turkish rule the position of the fellaheen in the villages has improved or deteriorated?

Husseini: Generally speaking. I think their situation has deteriorated.

4673. It has got worse? Is taxation heavier or lighter?

Husseini: Taxation was much heavier until recently when taxation was reduced.

4674. I am asking him now, at the present time when we are sitting here, is it the fact that the fellaheen is much more lightly taxed than he was in the days when he was under Turkish rule, or is he being taxed more heavily than he was in those days those days?

Husseini: According to the law the direct taxation may be lighter, but if we look to the indirect taxation (customs) the fellaheen are now much more

heavily taxed than they were under the Turkish regime. His Eminence wishes to add on this point that a member of the Higher Committee will give evidence.

4675. Chairman : On the burden of taxation?

Husseini: On economics, taxation and customs.

4676. Sir Laurie Hammond: And the condition of the fellaheen as regards, for example, education? Are there more or fewer schools?

Husseini: They may have more schools now, but at the same time that increase is due to the increase in population; the proportion is not greater.

4677. Is there any conscription for the army now?

Husseini: No.

4678. Would the people like to have that back?

Husseini: Yes, provided we have our own Government.

4679. Then am I to take it from His Eminence that he thinks the Arab portion of the population of Palestine would be happier if they reverted to Turkish rule than they are under the rule of the Mandatory Power?

Husseini: That is a fact.

4680. Sir Horace Rumbold: You would have chosen Turkey as the Mandatory if you had had the chance?

Husseini: I explained in the early stages of these proceedings that we revolted against the Turks principally and primarily in order to obtain independence, although we had a complete share in the administration under the Turks. We had a complete share in the administration of the whole country.

4681. Chairman: If you could not have complete independence you would rather the British Government handed over the Mandate to Turkey?

Husseini: We believe that we can attain complete independence.

4682. He does not like to answer my question?

Husseini: Because in my opinion every Mandate is temporary and provisional and the Arab peoples are determined to attain independence.

4683. And perhaps the Turks are less under the influence of the Jews?

Husseini: When the Turks were here they were under much less influence.

4684. Than the Administration is to-day?

Husseini: Yes.

4685. Sir Laurie Hammond: Is the land in Palestine now more valuable than it was in the days when the Turks were governing the country?

Husseini: Yes.

4686. Why is that?

Husseini: Owing to competition.

4687. Competition of purchase. Is it the fact that it is the high prices of land that have tempted a good many of the Arabs to sell land?

Husseini: That perhaps is one of the fundamental reasons.

4688. Sir Morris Carter: I think His Eminence has told us the Jews are under contract to buy 300,000 dunums of land from the Arabs?

Husseini: Yes about that.

4689. Would he kindly supply us with the names of the vendors and the purchasers of these lands and the amount?

Husseini: I will see what I can do.

4690. We have not been able to get those figures from the Jews and we should like to have them from the Arabs?

Husseini: I will do my best. .